

February 10, 2015

MINUTES of the a Regular Meeting of the Mayor and Board of Council of the Town of Secaucus, County of Hudson, State of New Jersey held on the 10th day of February, 2015 at 7:00 P.M. in the Arthur Couch Performing Arts Center, 11 Mill Ridge Rd, Secaucus, NJ.

Present: Councilmembers: Michael Gonnelli
Gary Jeffas
Robert Costantino
William McKeever
James Clancy
Susan Pirro
Mark Dehnert

PLEDGE OF ALLEGIANCE

The following statement was read by Town Clerk Michael Marra:

"Adequate notice for this meeting, as required by the Open Public Meetings Act, has been provided by the filing of the notice of Meetings with the Municipal Clerk, the posting of said notice on the official bulletin board in the Municipal Building, and the delivery of same to the Secaucus Home News on January 9, 2015".

This body wishes to advise you that in accordance with N.J.A.C.5:23-11.1, et seq. of the Indoor Air Quality Standards and Procedures for Buildings Occupied by Public Employees, smoking anywhere in this public building is prohibited by law.

Michael Marra performed the swearing in of Firefighter Alex Wurst.

Several members of Project Hygiene thanked the Mayor and Council for their support and shared their experiences.

John Popolisto thanked the Mayor and Council for work done for the purposed of preventing erosion at Sack Creek.

The first item on the agenda is as follows:

APPROVAL OF MINUTES

The following resolution was read: No. 2015-51

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that the minutes of the Regular Meetings of December 16, 2014, January 13, 2015 and January 27, 2015 are hereby approved.

Councilman Clancy moved to adopt the foregoing resolution, seconded by Councilwoman Pirro.

AYES: Jeffas, Costantino, McKeever, Clancy, Pirro, Dehnert, Gonnelli
NAYS: None
ABSENT: None Motion carried.

The following ordinance was read for public hearing: No. 2015-1

AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "POLICE DEPARTMENT" TO UPDATE APPROVED TRAINING AND TO SPECIFY APPEALS PROCESS

WHEREAS, the Mayor and Council have determined that changes to the Ordinance entitled "Police Department" are warranted based upon the review and recommendation of the Secaucus Police Department during the accreditation process.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, as follows:

1. Chapter 28 entitled "Police Department," "§28-9. Approved training required." of the Code of the Town of Secaucus be, and is hereby amended to read as follows: (deletions indicated by ~~striketroughs~~):

§ 28-9. Approved training required. [Amended 4-24-90 by Ord. No. 90-11]

No person shall hereafter be given or accept a permanent appointment as a police officer in the Town of Secaucus unless such person has successfully completed a basic police training course at a school designated by the Chief of Police and approved by the governing body, and shall receive certification ~~as an Emergency Medical Technician (EMT), as defined by state law,~~ at such designated school, which school is approved and authorized by the Police Training Commission in the Department of Law and Public Safety of the State of New Jersey, pursuant to the provisions of Chapter 65 of the Laws of 1961.

2. Chapter 28 entitled "Police Department," "§28-13. Procedures for promotion." of the Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows: (additions are indicated in bold, deletions indicated by ~~strikethroughs~~):

§ 28-13. Procedures for promotion.

- A. All applicants for promotion up to and including the rank of Captain shall submit applications in writing to the Town Administrator, who will coordinate the promotional process. Applications shall be made on such forms as are designated by the Chief of Police and forwarded to the Town Administrator by the Chief of Police. When the Mayor and Council determine that there are promotional vacancies for the position of Captain, Lieutenant or Sergeant to be filled, qualified applicants shall be evaluated based upon:
- (1) A written examination, of which the candidate must pass with a score of sixty percent (60%) or greater in order to be eligible to sit for the oral examination referenced below.
 - (2) An oral examination.
 - (3) Length of service.
 - (4) Combat Veteran Status as defined by N.J.S.A. 11A:5-1 et seq.

3.

Chapter 28 entitled "Police Department," "§28-14. Recommendation for promotion." of the Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows: (additions are indicated in bold, deletions indicated by ~~strikethroughs~~):

§ 28-14. Recommendation for promotion.

A. ...

C. Appeal of Promotion Process

1. Within ten (10) days of the posting of the ranking of candidates, a candidate may file a written letter of appeal. Said letter must contain the reason(s) or justification(s) for an appeal and must be submitted to the Town Administrator, through the appropriate chain of command. The Town Administrator will assess the request, and make a determination of how the request will be addressed on a case by case basis. Such requests may address the following areas of the promotional process:
 - a. Review and re-tabulation of the scored elements of the selection process.
 - b. Review any evaluation or internal document that was used in the selection process related to the appellant.
 - c. If the appeal impacts upon the results of the promotional ranking as determined by the Town Administrator, the candidate may be permitted to be re-evaluated and/or have their score re-tabulated.
- ~~E.~~

- D. After the Mayor and Council are provided the list of eligible candidates, the Mayor shall appoint a committee of two (2) Council members and the Chief of Police. The committee shall review each candidate's personnel file and consider the candidate's disciplinary record, attendance records, and any

commendations that the candidate has received. The committee will then forward their recommendations to the Mayor and Council to make the ultimate determination of which candidate shall be appointed.

~~D.~~

- E. Any such list shall remain in effect for no more than three (3) years from the date of the first appointment, unless extended by the Mayor and Council for one (1) additional year. Further, the Mayor and Council reserve the right to reject any such list and call for a new examination.

4. There are no other changes to this Chapter of the Code of the Town of Secaucus.

5. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

6. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.

7. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

IT IS FURTHER ORDAINED that the remainder of this Chapter 28 of the Code of the Town of Secaucus shall remain in full force and effect.

Mayor Gonnelli asked if anyone wished to be heard regarding the foregoing proposed ordinance. There being no one requesting the floor, Councilman Jeffas moved that the public hearing be closed, seconded by Councilman Costantino.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli
NAYS: None
ABSENT:

None
Motion carried.

Councilman Jeffas moved that the foregoing ordinance be finally adopted, seconded by Councilman Costantino.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli
NAYS: None
ABSENT:

None
Motion carried.

The following ordinance was read for public hearing: No. 2015-2

AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "VEHICLES AND TRAFFIC" TO UPDATE LOCATIONS WITHIN THE TOWN WHERE PARKING IS PROHIBITED

WHEREAS, the Mayor and Council recognize that the safety of all motorists, passengers, pedestrians, residents and visitors, and access to reach such persons and locations is of particular concern during emergency situations; and

WHEREAS, the Town enacted §127-1 et seq. to alleviate dangerous situations on the Town's streets, promote safe passage for motorists and vehicles, to address traffic flow, and specify penalties for violations; and

WHEREAS, upon the review and recommendation of the Secaucus Police Department, the Mayor and Council have determined that changes to the Ordinance are warranted to prohibit parking in additional locations to allow emergency vehicles to properly exit and enter intersections and pass safely along the streets in the interest of public health and safety.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, as follows:

1. Chapter 127 entitled "Vehicles and Traffic," §127-23" "Schedule I: No Parking" of the Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows: (additions are indicated in bold, deletions are indicated by ~~strikethroughs~~):

§ 127-23. Schedule I: No Parking.

In accordance with the provisions of § 127-7, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
Central Lane	Both	Marianne Terrace to the extension of Floral Terrace
Marianne Terrace	East	On Marianne Terrace extending 25 feet from the intersection with Central Lane
Curved portion of roadway on Marianne Terrace and Central Lane	Both	Southwest curve extending from the driveway of 2 Marianne Terrace to the driveway of 1067 Floral Terrace

- 2. There are no other changes to this Chapter of the Code of the Town of Secaucus.
- 3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.
- 5. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

IT IS FURTHER ORDAINED that the remainder of this Chapter 127 of the Code of the Town of Secaucus shall remain in full force and effect.

Mayor Gonnelli asked if anyone wished to be heard regarding the foregoing proposed ordinance. There being no one requesting the floor, Councilwoman Pirro moved that the public hearing be closed, seconded by Councilman Dehnert.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli
NAYS: None

ABSENT:

None

Motion carried.

Councilwoman Pirro moved that the foregoing ordinance be finally adopted, seconded by Councilman McKeever.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli

NAYS: None

ABSENT:

None

Motion carried.

The following ordinance was read for introduction:

No. 2015-5

AN ORDINANCE AMENDING SECTION 127-58B OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED
"DESIGNATION OF LOCATIONS AT OR NEAR PRIVATE RESIDENCES"

Councilman McKeever moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman Dehnert.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli

NAYS: None

ABSENT: None

Motion carried.

February 10, 2015

The following ordinance was read for introduction:

No. 2015-6

AN ORDINANCE AMENDING CHAPTER 127A OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED
"RESIDENTIAL PARKING" IN ZONE III

Councilman Jeffas moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman Costantino.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli

NAYS: None

ABSENT: None

Motion carried.

Public hearing for the aforementioned ordinances will be on March 10, 2015.

CONSENT AGENDA-RESOLUTIONS

All matters listed under Consent Agenda are considered to be routine by the Mayor and Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

The following resolution was read:

No. 2015-52

RESOLUTION AUTHORIZING ASSESSOR AND TAX COUNSEL TO DEFEND PENDING TAX APPEAL MATTERS, TO CORRECT ERRORS IN TAX ASSESSMENTS, TO SIGN STIPULATIONS AND FILE APPROPRIATE DOCUMENTS REGARDING SAME ON BEHALF OF THE TOWN OF SECAUCUS FOR THE PERIOD
JANUARY 1, 2015 THROUGH AND INCLUDING DECEMBER 31, 2015

WHEREAS, the Tax Assessor and/or Tax Counsel Zipp & Tannenbaum, LLC will from time to time determine that it is in the best interest of the Town to file certain pleadings (including, by way of example, motions and settlement agreements) with the Hudson County Board of Taxation or the Tax Court in order to defend against any pending tax appeal; and

WHEREAS, the Tax Assessor for the Town of Secaucus in consultation with the Tax Counsel, Zipp & Tannenbaum, LLC will from time to time determine that it is in the best interest of all parties involved to amicably resolve municipal tax appeal matters within the guidelines established by the New Jersey Constitution and existing case law; and

WHEREAS, the Tax Assessor of the Town of Secaucus in consultation with Tax Counsel Zipp & Tannenbaum, LLC will from time to time detect errors or omissions made in computing the tax assessment covering certain properties located within the Town of Secaucus ; and

WHEREAS, notice of property tax assessments that require adjustments and/or correction of errors can also be discovered through property owner's municipal tax appeals at the County and State level; and

WHEREAS, it is the desire of the Mayor and Council of the Town Of Secaucus to authorized the Tax Assessor in consultation and with the agreement of Tax Counsel, Zipp & Tannenbaum, LLC to amicably resolve certain municipal tax appeal matters and to correct said errors and to file appropriate documents as to the same; and

WHEREAS, the Hudson County Board of Taxation and the Tax Court of the State of New Jersey further require authorization for the Tax Assessor and Tax Counsel, Zipp & Tannenbaum, LLC to settle pending matters.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus that the Tax Assessor and Tax Counsel, Zipp & Tannenbaum, LLC are hereby authorized as follows for the period January 1, 2015 through and including December 31, 2015.

1. To file pleadings (including, by way of example,. Cross-petition or appeal, appeal and counterclaim) and other documents (including by way of example, and other applications) with the Hudson County Board of Taxation or the Tax Court in order to defend against or any pending tax appeal.
2. To jointly settle and all pending municipal tax appeals, provided said appeals do not result in a municipal tax refund of more than \$10,000.00 exclusive of interest for the tax year in question and to sign such Stipulations of Settlement to effectuate same; and
3. To jointly file corrective appeals with the Hudson County Board of Taxation and State Tax Court and to sign such Stipulations to correct any errors or omissions related to Town of Secaucus' assessments.

February 10, 2015

The following resolution was read:

No. 2015-53

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Kevin O'Connor, Superintendent of the Department of Public Works, that Colby Iyer and Tyler Hering are hereby appointed to the position of part time workers at the hourly rate of \$10300 effective Sunday February 1, 2015.

The following resolution was read:

No. 2015-54

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SECAUCUS SEPAC TO ADMINISTER A COMMUNITY
DEVELOPMENT BLOCK GRANT

WHEREAS, pursuant to New Jersey Administrative Code 6A:14---1.2(h) every board of education shall have a special education parent advisory group; and

WHEREAS, pursuant said New Jersey Administrative Code, the Secaucus Special Education Parent Advisory Committee (SEPAC) was formed; and

WHEREAS, the Town of Secaucus has received a Community Development Block Grant for a handicap activities program; and

WHEREAS, the Town of Secaucus and the SEPAC have agreed that the SEPAC will administer this grant;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that we do hereby authorize the Mayor and/or Town Administrator to enter into a contract with SEPAC to administer the above referenced grant; and

BE IT FURTHER RESOLVED THAT, the Mayor and/or Town Administrator is hereby authorized to sign any document or take any other action necessary to effectuate the intent and purpose of this resolution.

The following resolution as read:

No. 2015-55

RESOLUTION AUTHORIZING A 36 MONTH LEASE
OF TWO ZERO EMISSION ELECTRIC SMART CAR

WHEREAS, the Town of Secaucus supports the reduction of carbon emissions and wishes to use more environmentally conscious ways of vehicle transportation; and

WHEREAS, the Town of Secaucus strives to become a more sustainable community with the purchase of two additional electric vehicles to utilize for parking enforcement; and

WHEREAS, the Town of Secaucus wishes to continue implementing green community initiatives that are affordable and will benefit our residents now and in the future;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that we do hereby authorize the Mayor and/or Town Administrator to enter into two 36 month lease with Daimler Trust and Mercedes Battery Assurance Plus for the lease of Zero Emission Electric Smart Car in the amount of \$99.00 per month (\$19.00 and \$80.00 respectively) for an aggregate total over 36 months of \$3,564.00 per vehicle;

BE IT FURTHER RESOLVED THAT, the Mayor and/or Town Administrator is hereby authorized to sign any document or take any other action necessary to effectuate the intent and purpose of this resolution.

The following resolution was read:

No. 2015-56

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AMENDING THE DEPARTMENT OF RECREATION
ATHLETIC CODE OF CONDUCT

WHEREAS, the Mayor and Council are concerned with the prevention of bullying in social environments and support the Department of Recreation's effort to develop a strong anti-bullying policy for its youth programs/activities; and

WHEREAS, the Mayor and Council support the adoption of an updated "Athletic Code of Conduct" that is to be provided to all participants and parents/legal guardians which encompass anti-bullying with more specification and the Department of Recreation's policy for participation in its programs during a school suspension.

February 10, 2015

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that approval is given for the Department of Recreation Director or his designee to update the "Athletic Code of Conduct" utilized by all participants and parents' legal guardians involved in its youth programs to encompass anti-bullying language with more specification and its policy for involvement in the recreation program/activity while on school suspension.

The following resolution was read:

No. 2015-57

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Kevin O'Connor, Superintendent for the Department of Public Works, that Michael Lyngholm and Alec Regensberg are hereby appointed to the Full Time position of Laborer/Driver, effective February 16, 2015 with a salary of \$30,000.00 per annum.

The following resolution was read:

No. 2015-58

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, upon recommendation of the Police Department, that:

Nadine Castillo
Steve Falco
Kara Pinkman

are hereby appointed to the position of Relief School Crossing Guard effective Monday, February 20, 2015 at the rate of \$23.25 per shift.

The following resolution was read:

No. 2015-59

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Kevin O'Connor, Superintendent for the Department of Public Works, that Michael Craven is hereby appointed to the position of Bus Driver, Part Time, effective Wednesday, February 11, 2015 with a salary of \$16.00 per hour.

The following resolution as read:

No. 2015-60

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that pursuant to the recommendation of John Voli, Recreation Director of the Town of Secaucus, Matthew Garzone is hereby appointed as the Clinician in charge of the Recreation Basketball Clinic, effective February 9, 2015 at the hourly rate of \$30.00.

The following resolution as read:

No. 2015-61

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Gerald Dornan is hereby appointed to the position of Bus Aide in the DPW transportation Department effective Tuesday, February 3, 2015 with a salary of \$10.00 per hour.

Mayor Gonnelli explained some of the resolutions.

Councilwoman Pirro moved that the foregoing resolutions on the Consent Agenda be approved, seconded by Councilman Clancy.

AYES: Jeffas, Costantino, McKeever, Clancy, Pirro, Dehnert, Gonnelli

NAYS: None

ABSENT: None

Motion carried.

February 10, 2015

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

- 1) Use of the Senior Center on March 23, 2015 for Bridgeway Training event.
- 2) To allow the display of Tower 2 truck at a Mega Show in Long Island on February 21 and 22.
- 3) Use of the Swim Complex by the North Arlington Education Foundation for various dates in July and August.

Councilwoman Pirro moved to approve the foregoing items, seconded by Councilman Clancy.

AYES: Jeffas, Costantino, McKeever, Clancy, Pirro, Dehnert, Gonnelli

NAYS: None

ABSTAIN: Gonnelli on Fire issue only.

ABSENT: None

Motion carried.

The acceptance of Firefighters Guido Bravo and Nicholas Mattiello to Rescue Co. #1, Engine Co. #2

Councilman Jeffas moved to approve the foregoing items, seconded by Councilwoman Pirro.

AYES: Jeffas, Costantino, McKeever, Clancy, Pirro, Dehnert, Gonnelli

NAYS: None

ABSTAIN: Gonnelli

ABSENT: None

Motion carried.

COMMITTEE REPORTS

Councilman Jeffas gave a report on the Police Committee. He also spoke about an Eagle Scout Project.

Councilman Costantino spoke about the tax figures that have been posted by Department of Community Affairs. He noted that Secaucus has the lowest rate in Hudson County.

Councilman Clancy thanked all who supported the Ladies Auxiliary breakfast. He also reported on fire calls for the month.

Councilwoman Pirro spoke about the month of February being Healthy Heart Month.

Councilman Dehnert offered information about upcoming recreation registrations.

Councilman McKeever gave a follow up on the Valentine's Days breakfast.

Mayor Gonnelli spoke about the success of Tax Sharing relief and what it means to the Town. He thanked Assemblyman Prieto for his ongoing efforts.

Councilwoman Pirro thanked the Mayor for his efforts in making this Tax Sharing a success.

UNFINISHED BUSINESS

Councilman Clancy spoke about an upcoming event sponsored by the Guma Foundation. He also spoke of other event.

Councilwoman Pirro gave residents information on Warming Centers that are available within the Town. She also spoke about volunteering.

Mayor Gonnelli spoke further on the Warming Centers.

Councilman Dehnert spoke about a discount program at the Swim Center.

Councilman McKeever spoke about an upcoming Senior Center event.

Mayor Gonnelli gave a flood control report.

Councilman Jeffas spoke about the Hudson County School of Technology and the availability of training programs.

February 10, 2015

Councilman Costantino spoke about an upcoming job fair. He also spoke about an upcoming event to be held at the Senior Center. He also spoke about an upcoming fundraising Wrestling event to be held at the Recreation Center.

Councilman Clancy spoke about the Alzheimer's Caregivers group. He also spoke about construction that will be done on Route 3 east and the closure that will be held on Saturday night through Sunday.

Councilwoman Pirro stated that there is a wish list of items that are needed by the Food Pantry.

Councilman Dehnert spoke about an upcoming event to be held at the Recreation Center. He talked about a scholarship that will be offered.

Councilman McKeever reported on some upcoming programs that are available to Senior Citizens.

NEW BUSINESS

Councilwoman Pirro stated that there is a wish list of items that are needed by the Food Pantry.

Councilman Dehnert spoke about an upcoming event to be held at the Recreation Center. He talked about a scholarship that will be offered.

Councilman McKeever reported on some upcoming programs that are available to Senior Citizens.

REMARKS OF CITIZENS

Gary Pollack
Donald Evanson
Fred Vogel
Tom Troyer

Councilman Jeffas moved to adjourn the meeting at 8:25 pm, seconded by Councilman Costantino.

AYES: Jeffas, Costantino, McKeever, Clancy, Pirro, Dehnert, Gonnelli
NAYS: None
ABSENT: None

Motion carried.

Michael Marra, Town Clerk